

**Minutes of the  
Committee on Limited English Proficiency  
Meeting of Thursday, February 11, 2021  
Via Microsoft Teams**

**Members in Attendance:** Hon. Maria A. Kahn, Co-Chair, Ms. Alejandra Donath, Co-Chair Mr. Troy Brown, Atty. Brittany Kaplan, Atty. Viviana Livesay, Atty. Richard Loffredo, and Atty. Brandon Pelegano. Others present: Atty. Michele Fica, CT Legal Services. Support staff Ms. Heather Collins.

- I. **Welcome:** Justice Kahn and Ms. Donath welcomed the members and noted that the pandemic had kept the Committee from meeting over the last year, while the work of ensuring equal access to justice for people with limited English proficiency has continued.
- II. **Approval of minutes** from the March 3, 2020 meeting: Atty. Livesay made a motion to accept the Draft Minutes as written; seconded by Atty. Loffredo, unanimous approval.
- III. **Justice Index:** The Committee discussed some of the Judicial Branch's responses to the Justice Index survey, an inquiry by the National Center for Access to Justice at Fordham Law School. Specifically, the members discussed:
  - The complaint process: It was said that the Branch never denies anyone's request for language services, and that such services are provided at no cost. The members agreed to form a subcommittee to begin exploring a more formalized complaint structure, including incorporating data to analyze the quality of the delivery of services from the POV of litigants, Judges, attorneys, court staff, and the interpreters. Justice Kahn noted that the Branch continues to strive to meet requests relating to the process of providing meaningful access for LEP individuals. For example, in view of COVID and increase in remote hearings, the Branch granted a request to adjust the schedule to provide for additional time for remote hearings involving cases that require interpreter services.
  - Compliance with federal law: The Branch was one of the few states that completed a survey from the U.S. Department of Justice about its LEP services. Connecticut also reviews its Language Access Plan every two years to maintain its compliance with DOJ policy on LEP services under Title IV of the Civil Rights Act. Attorney Livesay indicated that the legal division can review DOJ guidelines and development in case law to ensure that the Branch remains in compliance with the federal law.

- Training for Judicial Branch staff on language access: Every Judicial Branch employee was trained, and every new employee must complete the Branch-developed online training, “LEP: Why It’s Important to You.” This program provides the foundation, policies, and logistics for understanding and working with individuals who have a limited ability to read, speak, write and understand the English language. The course touches on Title VI of the Civil Rights Act of 1964 (re: National Origin), training for professional interpreters and how to access language assistance services 24 hours a day, 7 days a week in the course of performing assigned duties. Attorney Loffredo told the Committee that the Interpreter Services Unit is planning in 2021 to develop a nuts-and-bolts style training for staff to ensure LEP competency for staff, with staff being required to complete it every three years. The members discussed the frequency with which training would be most beneficial. Attorney Pelegano said he would like his front-line staff to have annual training and there was discussion about possibly creating shorter “highlights” training, or a refresher course.
- Identifying documents/materials that should be translated: Justice Kahn noted that the branch has a mechanism to identify forms and signage that needed to be translated, and the Branch currently has dozens of pages and videos in other languages.
- Payment for services: There is no charge for providing LEP services, as the members noted. There was discussion about whether to incorporate language in postings to be clear that all such services are offered at no cost to recipients.
- Providing specific notice on court forms and publications when such documents are available in languages other than English: The Committee discussed different mechanisms that may be available to let people know which forms/publications have been translated. Ms. Donath and Attorney Livesay will discuss possible mechanisms and report back to the Committee at a later date.

#### **IV. LEP Committee Report**

- a. Telephonic Bilingual Services: The committee is waiting for statistics from 2020 to incorporate into the report.
- b. Training: As discussed above, additional LEP training for Branch staff will be developed. The report notes that the mandatory LEP course has been completed by more than 4,400 Judicial Branch employees. Additionally, the Committee in 2018 developed a course for vendors and it has been completed more than 850 times.
- c. Website: Members reviewed the LEP website and it will be redesigned to be more intuitive for users. It was also noted that during the pandemic, translating COVID-19 information that is posted on the website has been a priority.

- d. Remote Interpreting: Currently, the Judicial Branch is using remote interpretation services due to the pandemic and need to utilize remote appearances.
  - e. Translations: The Branch is continuing to translate information into Spanish, Portuguese, and Polish.
- V. **Language Access Plan:** The Language Access Plan was updated and will be posted on the LEP webpage after final approval from the committee.
- VI. **Other Business:** Justice Kahn and Ms. Donath told the members about a recent livestream sponsored by the Connecticut Bar Association and the Connecticut Bar Foundation as part of the Constance Baker Motely series on Language and the Law which focused on the impact that diverse languages, accents, dialects and proficiency levels of parties, witnesses, lawyers and jurors have on legal professionals' perceptions of their legitimacy, credibility and professionalism and steps to combat implicit biases that exist. The program is expected to be posted online for the public. Justice Kahn, who is the Co-Chair of the National Access to Justice Commission's Racial Justice Working Group, reported about the recent creation of that group and the future meetings and programs that the national group plans to conduct. Justice Kahn noted that future programs may include presentations on limited English proficiency and she will notify the LEP committee of that Working Group's future programs.
- VII. Next Meeting: A date for the next meeting will be circulated.
- VIII. Adjourn